

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KEITH BROWN,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 05-826
)	
COMMISSIONER JEFFREY BEARD,)	
et al.,)	
Defendants.)	

ORDER

AND NOW, this 12th day of December, 2005, after the plaintiff, Keith Brown, filed an action in the above-captioned case, and after a motion to dismiss was submitted by defendant Rivindranath Kolli, M.D., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by defendant Dr. Kolli, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 85), which is adopted as the opinion of this Court,

IT IS ORDERED that the Motion to Dismiss Amended Complaint submitted on behalf of defendant Rivindranath Kolli, M.D. (Docket No. 65) is denied.



Donetta W. Ambrose
United States Chief District Judge

cc: Keith Brown
5341 Greenway Avenue
Philadelphia, PA 19143